



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,614	04/12/2004	Shigeki Taniguchi	3169.70231	5008

7590 06/25/2008
Patrick G. Burns, Esq.
GREER, BURNS & CRAIN, LTD.
Suite 2500
300 South Wacker Dr.
Chicago, IL 60606

EXAMINER

MADAMBA, GLENFORD J

ART UNIT	PAPER NUMBER
----------	--------------

2151

MAIL DATE	DELIVERY MODE
-----------	---------------

06/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. This action is in response to remarks and claim amendments filed by Applicant's representative on February 8, 2008.

Response to Remarks and Amendments

1. Applicant's remarks and claim amendments filed on February 8, 2008 have been considered but are now moot in light of the new grounds of rejection provided with this action.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 14-15, 17-19, 23, 25-27, 30, and 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kirani et al (hereinafter Kirani), U.S. Patent Publication

US 2002/0032027 A1 in view of Davis et al, U.S. Patent Publication US
2002/0001395 A1.

As per Claims 14, 23 and 30, Kirani in view of Davis discloses a server that receives a request to save data from a terminal apparatus [Fig. 3], the server (Multimedia Message Extractor 320) comprising:

- a communication unit that communicates with the terminal apparatus (e.g., Sender 300) [Fig. 3];

- a data addition unit adding, with respect to data received via the communication unit, at least one of text data, audio data and incoming melody data according to the presence of processing and the type of processing designated by the request, the incoming melody data giving notification, by music, of incoming data when the data is received;

- a storage unit that stores the data processed by the data addition unit (e.g., Media Storage Repository 325) [Fig. 3]; and

- an instruction information generation unit that generates instruction information representing a destination in which to store the data (e.g., URL, block 505)[Fig. 5a].

While Kirani discloses substantial features of the invention, as above, the additionally recited feature of a data addition unit adding, with respect to data received via the communication unit, at least one of text data, audio data and incoming melody data according to the presence of processing and the type of processing designated by

the request, the incoming melody data giving notification, by music, of incoming data when the data is received is disclosed by Davis in a related endeavor.

Davis discloses as his invention a steganographic embedder that associates data with a media signal by encoding the data, a link to the data, or a combination of both into the media signal. The embedder may be located in the media signal capture device or an external process or device [Abstract]. In particular, Davis discloses the additionally recited feature of the server comprising a data addition unit (e.g., MetaData Server with Stenographic Embedder / Emcoder) [Abstract] [Figs. 3 & 4] adding, with respect to data received via the communication unit, at least one of text data, audio data and incoming melody data according to the presence of processing and the type of processing designated by the request, the incoming melody data giving notification, by music, of incoming data when the data is received (e.g., 'editing the media signal') [0008] (e.g., associating, embedding, and / or encoding 'data' with a media signal or object) [Abstract] (i.e., associating / embedding 'data' such as 'text' to a media signal) [0063], (i.e., associating an image with other images) [0090-0091] (i.e., associating a 'picture' with audio / song) [0003-0005] [0024].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Kirani's invention with the above added feature, as disclosed by Davis, for the motivation of providing associating data (metadata) with media signals [0002-0003] [0014-0025].

Claims 25 and 32 recite the same limitations as claim 17, are distinguished only by statutory category, and thus rejected on the same basis.

As per Claims 15, Kirani in view of Davis discloses the server of claim 14, further comprising a processing unit that executes a designated finishing process, when the data is image data, with respect to that image data according to the presence of processing and the type of processing designated by the request.

While Kirani discloses substantial features of the invention, as in claim 14 above, the additionally recited feature of the server further comprising a processing unit that executes a designated finishing process, when the data is image data, with respect to that image data according to the presence of processing and the type of processing designated by the request is disclosed by Davis in a related endeavor.

Davis discloses as his invention a steganographic embedder that associates data with a media signal by encoding the data, a link to the data, or a combination of both into the media signal. The embedder may be located in the media signal capture device or an external process or device [Abstract]. In particular, Davis discloses the additionally recited feature of the server further comprising a processing unit that executes a designated finishing process (e.g., Metadata Server with Steganographic Embedder), when the data is image data, with respect to that image data according to the presence of processing and the type of processing designated by the request (e.g.,

associating, adding, and/or embedding of 'data' such as 'text', 'images' and/or audio to 'media signals' such as images and or pictures) [0003-0005] [0024-0025] [0034] [0063] [0090-0091] (e.g., image conversion, compression, and/or editing) [0159].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Kirani's invention with the above added feature, as disclosed by Davis, for the motivation of providing associating data (metadata) with media signals [0002-0003] [0014-0025].

As per Claims 17, 25 and 32, Kirani in view of Davis discloses a terminal apparatus (Cell Phone 911 / Media Capture Device 913) [Fig. 11c] comprising:

- a communication unit (Cell phone/modem) [Table 1] that communicates with a server apparatus (Web Server) [Figs. 9 & 11c] (Photoserver) [0098];

- a processing unit that executes a program received from the server apparatus via the communication unit (Image Processor 102) [0081] [Fig. 1a]; and

- an internal memory unit (e.g., Memory 20) [Fig. 1] memorizing various types of internal data (e.g., Data Types) [0027];

- a display unit displaying a content of an output region as it is (e.g. Display 24) [Fig. 1];

a data management unit converting the internal data to a predetermined format and outputting the converted internal data to the output region in accordance with a request from the program executed by the processing unit (CPU 106) [Fig. 1a], wherein the request including information specifying the internal data and information designating an output of the specified internal data to the output region [0034] [0159].

While Kirani discloses substantial features of the invention, as above, the additionally recited feature of the terminal apparatus further comprising an internal memory unit memorizing various types of internal data, a display unit displaying a content of an output region as it is, and a data management unit converting the internal data to a predetermined format and outputting the converted internal data to the output region in accordance with a request from the program executed by the processing unit, wherein the request including information specifying the internal data and information designating an output of the specified internal data to the output region, is disclosed by Davis in a related endeavor.

Davis discloses as his invention a steganographic embedder that associates data with a media signal by encoding the data, a link to the data, or a combination of both into the media signal. The embedder may be located in the media signal capture device or an external process or device [Abstract]. In particular, Davis discloses the additionally recited feature of the terminal apparatus further comprising an internal memory unit (e.g., Memory 20) [Fig. 1] memorizing various types of internal data (e.g., Data Types) [0027], a display unit displaying a content of an output region as it is (e.g.,

Display 24) [Fig. 1], and a data management unit converting the internal data to a predetermined format and outputting the converted internal data to the output region in accordance with a request from the program executed by the processing unit (CPU 106) [Fig. 1a], wherein the request including information specifying the internal data and information designating an output of the specified internal data to the output region (the formatter transforms the image signal into a form suitable for further processing and stores it in the memory subsystem) [0034] [0159].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Kirani's invention with the above added feature, as disclosed by Davis, for the motivation of providing associating data (metadata) with media signals [0002-0003] [0014-0025].

Claims 25 and 32 recite the same limitations as claim 17, are distinguished only by statutory category, and thus rejected on the same basis.

As per Claims 18, 26 and 33, Kirani in view of Davis discloses the terminal apparatus of claim 17, wherein the internal data includes character data and the converted internal data includes data where the characters have been converted to an image.

While Kirani discloses substantial features of the invention such as the terminal apparatus of claim 17, the additionally recited feature of the apparatus wherein the internal data includes character data and the converted internal data includes data

where the characters have been converted to an image is disclosed by Davis in a related endeavor.

Davis discloses as his invention a steganographic embedder that associates data with a media signal by encoding the data, a link to the data, or a combination of both into the media signal. The embedder may be located in the media signal capture device or an external process or device [Abstract]. In particular, Davis discloses the additionally recited feature of the apparatus wherein the internal data includes character data and the converted internal data includes data where the characters have been converted to an image [0004-0006] [0027-0029] [0100-0103].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Kirani's invention with the above added feature, as disclosed by Davis, for the motivation of providing associating data (metadata) with media signals [0002-0003] [0014-0025].

Claims 26 and 33 recite the same limitations as claim 18, are distinguished only by statutory category, and thus rejected on the same basis.

As per Claims 19, 27 and 34, Kirani in view of Davis discloses the terminal apparatus of claim 17, wherein the information specifying the internal data includes information identifying the type of data and information identifying a position in plural headings or a rank in plural headings configuring one type of identified information.

While Kirani discloses substantial features of the invention such as the terminal apparatus of claim 17, he does not explicitly disclose the apparatus wherein the information specifying the internal data includes information identifying the type of data and information identifying a position in plural headings or a rank in plural headings configuring one type of identified information. The feature is disclosed by Kirani '697 in a related endeavor.

Davis discloses as his invention a steganographic embedder that associates data with a media signal by encoding the data, a link to the data, or a combination of both into the media signal. The embedder may be located in the media signal capture device or an external process or device [Abstract]. In particular, Davis discloses the additionally recited feature of the apparatus wherein the information specifying the internal data includes information identifying the type of data and information identifying a position in plural headings or a rank in plural headings configuring one type of identified information (i.e., Data Types) [0027] [0106-0135].

It would thus be obvious to one of ordinary skill in the art at the time of the invention to combine and/or modify Kirani's invention with the above added feature, as disclosed by Davis, for the motivation of providing associating data (metadata) with media signals [0002-0003] [0014-0025].

Claims 27 and 34 recite the same limitations as claim 19, are distinguished only by statutory category, and thus rejected on the same basis.

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.06(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenford Madamba whose telephone number is 571-272-7989. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Wallace Martin can be reached on 571-272-3440. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Glenford Madamba
Examiner
Art Unit 2151

/John Follansbee/
Supervisory Patent Examiner, Art Unit 2151